

REMARKS

Claims 1 - 4 are currently pending in the application and are amended. Claims 1 - 4 are presented for reconsideration and reexamination in view of the following remarks.

In the outstanding Office Action, claims 1 - 4 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2004/0075531 to Ieda et al.; claims 1, 2, and 4 were further rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Publication No. JP 2002-030845 to Okada or U.S. Patent Publication No. 6,034,617 to Luebke et al. in view of U.S. Patent Nos. 6,703,919 to Baset, 6,724,322 to Tang et al., and 6,290,269 to Bodley-Scott et al.; and claim 3 was further rejected under 35 U.S.C. § 103(a) as being unpatentable over Okada or Luebke et al. in view of Baset, Tang et al., and Bodley-Scott et al., as applied to claim 1, and further in view of U.S. Patent Publication No. 2003/0095416 to Huizenga and French Publication No. FR 27224613 to Cadman.

By this Amendment, claims 1 - 4 are amended and the prior art rejection is traversed. Support for the amendments to claims 1 - 4 can be found for example, in the description of Figure 1 and on page 7, paragraph beginning on line 14. Arguments in support thereof are provided.

It is respectfully submitted that the above amendments introduce no new matter within the meaning of 37 U.S.C. § 132.

Rejection under 35 U.S.C. § 102(e)

Claims 1 - 4 were rejected as being anticipated by Ieda et al.

Response

Reconsideration and withdrawal of the rejection is respectfully requested.

The test for anticipation under section 102 is whether each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131. The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989); MPEP §2131. The elements must also be arranged as required by the claim. *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990).

It is respectfully submitted that Ieda et al. fails to disclose each and every element as set forth in amended independent claim 1.

It is an object of the present invention to provide a vehicle door locking and unlocking system that informs the user of the locking confirmable period. See specification at page 4, paragraph beginning on line 7. As recited in amended claim 1, the door locking/unlocking system of the present invention includes, *inter alia*, a controller wherein ***“the controller, upon detecting a locked state of the vehicle door, activates the display for notifying the system that it is in a locking confirmable period for a predetermined time, and while the display is activated, the controller disables the operation of the door handle for keeping the vehicle door in the locked state.”***

Ieda et al. discloses a door opening/closing device for a vehicle and a method of recognizing an opening/closing operation of a vehicle door. The Examiner asserts that Ieda et al. discloses the same system as the present invention. However, according to Ieda et al. *“the user can visually confirm that the vehicle door is locked.”* See paragraph [0040]. Thus, according to Ieda et al., it is not necessary to manually operate the door handle for checking whether the vehicle door is locked or not after the user locked the vehicle door by the remote controller. In other words, Ieda et al. is premised on that the user does not confirm whether the vehicle door is locked or not by manually operating the door handle, but confirms based on the state of the LED. Therefore, the controller in Ieda et al. cannot disable the door handle while the LED (display) is activated.

In contrast, in amended claim 1 of the present invention, the controller disables the door handle while the display is activated. In the locking confirmable period after the door has been locked, an indicator 5 is lighted up to display that it is the locking confirmable period. As a result, the user can easily recognize the locking confirmable period by visual observation of the indicator 5. Therefore, after locking the door and while the indicator 5 is lighted up, the user can confirm locking by operating the door handle 1, without being anxious about unlocking of the door due to the locking confirmation operation by operating the door handle 1. See specification at page 12, paragraph beginning on line 5.

Since, Ieda et al. fails to teach each and every element of claim 1, it is therefore respectfully submitted that the rejection of independent claim 1 under 35 USC § 102(e) should be withdrawn.

It is also submitted that the rejection of dependent claims 2 - 4 under 35 USC § 102(e) should be withdrawn *inter alia*, as they are dependent on independent claim 1, and for at least similar reasons discussed in detail above with reference to claim 1.

Rejection under 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 2, and 4 as being unpatentable over Okada or Luebke et al. in view of Baset, Tang et al., and Bodley-Scott et al.; and rejected claim 3 over Okada or Luebke et al. in view of Baset, Tang et al., and Bodley-Scott et al., as applied to claim 1, and further in view of Huizenga and Cadman.

Response

Reconsideration and withdrawal of the rejection is respectfully requested.

To establish a *prima facie* case of obviousness, the Examiner must establish: (1) that some suggestion or motivation to modify the references exists; (2) a reasonable expectation of success; and (3) that the prior art references teach or suggest all the claim limitations. Amgen, Inc. v. Chugai Pharm. Co., 18 USPQ2d 1016, 1023 (Fed. Cir. 1991); In re Fine, 5 USPQ2d 1596, 1598 (Fed. Cir. 1988); In re Wilson, 165 USPQ 494, 496 (C.C.P.A. 1970).

It is respectfully submitted that the combination of references fails to teach or suggest all the claim limitations.

Okada discloses a remote control device for on-board instrument. In Okada, a code request signal is transmitted for requesting the response of a portable apparatus. The Examiner asserts that Okada discloses a confirmation period that corresponds to the locking confirmable period of the present invention. However, according to claim 1 of Okada, the confirmation period is the time for

checking whether a predetermined condition is satisfied or not when the vehicle door is attempted to be opened.

Thus, the confirmation period is used before the vehicle door is opened (see for example claim 1, paragraph [0006] of Okada), whereas the locking confirmable period of the present invention is used after the vehicle door is closed. Hence, Okada cannot achieve all the features of the present invention.

Luebke et al. discloses an operator intent based passive keyless vehicle control system. The Examiner asserts that Luebke et al. discloses a period of time after locking the door in which the user may lift the door handle without causing the system to unlock the door. However, column 5, lines 19-33 of Luebke et al. discuss inhibiting passive remote unlocking for a period of time upon the vehicle being locked. In this period of time, however, there is no description that the controller disables the operation of the door handle so as to maintain the vehicle door in the closed state. Hence, Luebke et al. cannot achieve all the features of the present invention.

The Examiner states that neither Okada nor Luebke et al. provide a display to indicate a door lock confirmation period. The Examiner cites Baset, Tang et al., and Bodley-Scott et al. in an attempt to cure the deficiencies of Okada and Luebke et al.

Baset teaches a method of confirming remote keyless entry lock button status. The Examiner asserts that Baset teaches that the LED or indicator light 26 corresponds to the display of the present invention.

However, the LED of Baset is provided for indicating the status of the lock button 17 (see column 3, lines 21-30), i.e., for notifying the user that the door is locked. In contrast, in the present

invention, the indicator is for providing confirmation to the user that the system is in the locking confirmable period. Further, according to the Baset reference, it is not necessary to manually confirm whether the vehicle door is locked or not by operating the door handle after the user locks the vehicle door by the remote controller.

Tang et al. teaches a remote system for providing vehicle information to a user. The sections of Tang et al. referenced by the Examiner merely discuss remotely providing vehicle location or vehicle device information to a user.

Bodley-Scott et al. teaches a vehicle door locking system. Figure 6, referenced by the Examiner merely shows a lock status indicator.

However, Baset, Tang et al., and Bodley-Scott fail to cure the deficiencies of Okada and Luebke et al. since these references do not teach a controller that activates the display for notifying the system that it is in a locking confirmable period as recited in amended claim 1 of the present invention.

Next, the Examiner states that the combination of the four references does not teach the features of claim 3. Huizenga and Cadman are cited to overcome the deficiencies of the other references.

Huizenga teaches a vehicle handle assembly with cup lighting. Cadman teaches a central door lock state warning for cars. However, Huizenga and Cadman also do not teach a controller that activates the display for notifying the system that it is in a locking confirmable period as recited in amended claim 1 of the present invention.

Hence, even if Okada or Luebke et al. can be combined with the other references, the feature of the controller as recited in amended claim 1 of the present invention is not disclosed in any of the references.

Thus, as apparent from the foregoing, the cited references taken alone or in combination fail to teach or suggest all the limitations of claim 1 of the present invention.

It is therefore respectfully submitted that the rejection of independent claim 1 under 35 U.S.C. § 103(a) should be withdrawn.

It is also submitted that the rejection of dependent claims 2 - 4 under 35 USC § 103(a) should be withdrawn *inter alia*, as they are dependent on independent claim 1, and for at least similar reasons discussed in detail above with reference to claim 1.

CONCLUSION

In light of the foregoing, Applicant submits that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner contact the undersigned attorney if it is believed that such

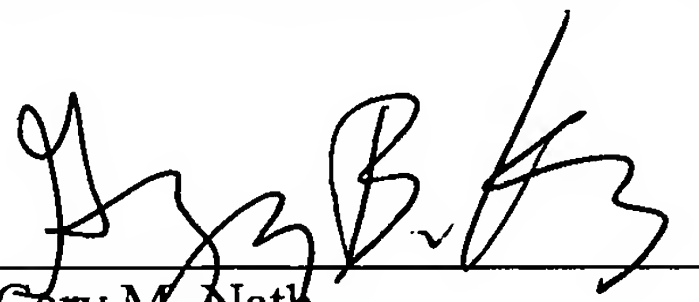
contact will expedite the prosecution of the application. Favorable action with an early allowance of the claims is earnestly solicited.

Respectfully submitted,

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